

AMENDED IN ASSEMBLY MARCH 28, 2006

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2193**

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**Introduced by Assembly Members Bass and Cohn**

February 22, 2006

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An act to add Section 10609.9 to the Welfare and Institutions Code, relating to child welfare.

LEGISLATIVE COUNSEL'S DIGEST

AB 2193, as amended, Bass. Child welfare.

Existing law requires each county to provide child welfare services, and provides for the administration of various child welfare services pursuant to regulations and procedures adopted by the State Department of Social Services.

Existing law requires the department to contract with an appropriate and qualified entity to conduct an evaluation of the adequacy of current child welfare services budgeting methodology, and to convene an advisory group. Pursuant to existing law, the Director of Social Services has convened an advisory group, the Child Welfare Services Stakeholders Group, to address concerns facing the child welfare system.

Existing law declares the intent of the Legislature that the Human Resources Workgroup of the Child Welfare Services Stakeholders Group include in its next planned report the core strategies needed to establish minimum caseload standards under the redesigned child welfare services system. Existing law declares the further intent of the Legislature that the Human Resources Workgroup make recommendations for implementing the new caseload standards.

~~This bill would require the department, pursuant to the recommendations of the Child Welfare Services Stakeholder's Group, to establish regulations requiring counties to implement specified minimum caseload standards for child welfare services workers~~ *the state to budget the child welfare services program in accordance with specified optimal caseload standards recommended by the Child Welfare Services Stakeholders Group.* This bill would require the new caseload budgeting standards to be phased in over a 5-year period, commencing with the 2006–07 fiscal year, and to be fully implemented by the end of the 2010–11 fiscal year. *It would require the department, commencing in January 2007, to annually update the recommended budgeting standards, as specified.* The bill would ~~allow~~ *require* a county to ~~elect to provide workload relief to child welfare social workers through methods other than caseload reduction, by submitting a workload relief plan to the department.~~ The bill would exempt a county from the caseload reduction requirements upon departmental approval of the county's workload relief plan *provide funds sufficient to match the county's base funding allocation for child welfare services in order to be eligible for the increased funding provided for by the bill. This bill would require the county to develop a plan for the use of the additional funds, and would require the county's system improvement plan, developed pursuant to a specified provision of existing law, to be modified to include the plan required by the bill.*

By placing new requirements on counties, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

SECTION 1. The Legislature finds and declares all of the following:

(a) The standards used to determine child welfare social worker caseloads were developed in the mid-1980s and are now over 20 years old.

(b) The child welfare—~~service~~ *services* workload study conducted by an independent contractor pursuant to Section 10609.5 of the Welfare and Institutions Code concluded that child welfare social workers currently bear caseloads that are far in excess of what is reasonable to meet the requirements of existing statutory and case law.

(c) *The findings and recommendations of the child welfare services workload study were highly consistent with the standards established by national child welfare organizations, such as the Child Welfare League of America, and with numerous standards that have been imposed on states by consent decrees and court orders.*

(d) *Since the 2000 publication of the child welfare services workload study, federal and state governments, and the courts, have increased the workload on child welfare workers.*

~~(e)~~  
(e) California's child welfare system is now severely understaffed as a result of these out-of-date caseload standards.

~~(d)~~  
(f) The effects of excessive child welfare worker caseloads on children and their families can be devastating and may include all of the following:

(1) Inadequate response to reports of child abuse and neglect.

(2) Inability to ensure that out-of-home placements are appropriate.

(3) Reduced monitoring of children in out-of-home placements.

(4) Reduced service to families attempting to reunify with their children.

(5) Poor outcomes for foster youth and their families with children in foster care.

SEC. 2. Section 10609.9 is added to the Welfare and Institutions Code, to read:

~~10609.9. (a) (1) The department shall establish regulations to require, except as provided in subdivision (b), that counties implement minimum caseload standards that reflect all of the following child welfare services worker to child ratios:~~

~~(A) Screening, hotline, and intake: one worker per 116.10 children.~~

~~(B) Emergency response: one worker per 13.03 children.~~

~~(C) Family maintenance: one worker per 14.18 children.~~

~~(D) Family reunification: one worker per 15.58 children.~~

~~(E) Permanency planning: one worker per 23.69 children.~~

~~(2) The workload standards established under paragraph (1) shall be phased in over a five-year period, commencing in the 2006-07 fiscal year, so that 20 percent of the caseload reductions required under those standards is completed each fiscal year, and the new caseload standards are fully implemented by the end of the 2010-11 fiscal year.~~

~~(b) Notwithstanding subdivision (a), a county may elect to provide workload relief to child welfare social workers through methods other than the caseload reductions required by subdivision (a). The county shall submit a plan to the department describing the workload relief measure that the county will implement. In developing a workload relief plan, the county shall consult with representatives of child welfare services, consumers, children's advocacy organizations, and child welfare social worker organizations. Upon approval by the department, the county shall be exempt from the requirements of subdivision (a).~~

~~(c) In establishing compliance thresholds for outcome measures developed by the department pursuant to Section 10601.2, the department shall take into consideration the extent to which the child welfare system is funded to meet the caseload reductions or workload relief as required in this section.~~

*10609.9. (a) Consistent with the schedule described in subdivision (b), the state shall budget the child welfare services program in accordance with the following optimal caseload standards recommended by the study required by Section 10609.5:*

*(1) Screening, hotline, and intake: one worker per 68.70 cases.*

*(2) Emergency response: one worker per 9.88 cases.*

*(3) Family maintenance: one worker per 10.15 cases.*

1     (4) *Family reunification: one worker per 11.94 cases.*

2     (5) *Permanency planning: one worker per 16.42 cases.*

3     (b) *The budgeting standards described in subdivision (a) shall*  
4 *be phased in over a five-year period, commencing with the*  
5 *2006–07 fiscal year, so that 20 percent of the difference between*  
6 *the 2005–06 fiscal year appropriation and the appropriation*  
7 *based on the optimal caseload standards would be funded, until*  
8 *that difference is eliminated in the 2010–11 fiscal year.*

9     (c) *In order to be eligible for its share of the funds described*  
10 *in this section, a county shall do all of the following:*

11     (1) *Provide county matching funds sufficient to fully match the*  
12 *county’s base funding allocation, not including any of the*  
13 *county’s child welfare services augmentation funds.*

14     (2) *In consultation with individuals representing social*  
15 *workers, foster youth, and parents in the child welfare services*  
16 *system, develop a plan for the use of the additional funding in*  
17 *this section to provide social workers with additional time or*  
18 *support to enhance casework and the outcomes for children and*  
19 *families described in Section 10601.2. Plan elements may*  
20 *include, but are not limited to, reduced caseloads of social*  
21 *workers, additional clerical, paraprofessional, and support staff*  
22 *to allow social workers more time for casework and client*  
23 *contact, and additional services for youth and families to assist*  
24 *workers in helping children and families achieve case plan goals*  
25 *and improve outcomes.*

26     (3) *By January 1, 2007, modify the county’s system*  
27 *improvement plan developed pursuant to Section 10601.2 to*  
28 *include the county plan required by paragraph (2) and the*  
29 *specific outcomes that the county intends to improve through the*  
30 *implementation of the plan.*

31     (4) *Annually, or more frequently at the county’s option, review*  
32 *its progress on the implementation of the plan required by*  
33 *paragraph (2) and performance on the identified outcomes, and*  
34 *consult with social workers, foster youth, and families in the*  
35 *child welfare system on possible modifications to the plan*  
36 *necessary to achieve improved outcomes.*

37     (d) *Commencing in January 2007, the department shall*  
38 *annually update the recommended budgeting standards*  
39 *described in subdivision (a) based on statutory, regulatory, and*

1 *practice changes that have occurred since the most recent*  
2 *update.*

3 *(e) In establishing compliance thresholds for outcomes*  
4 *measured developed pursuant to Section 10601.2, the department*  
5 *shall take into consideration the extent to which the child welfare*  
6 *system is funded to meet the budgeting standards required by this*  
7 *section.*

8 SEC. 3. If the Commission on State Mandates determines that  
9 this act contains costs mandated by the state, reimbursement to  
10 local agencies and school districts for those costs shall be made  
11 pursuant to Part 7 (commencing with Section 17500) of Division  
12 4 of Title 2 of the Government Code.